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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MARTINE & PENILLA, LLP
710 LAKEWAY DRIVE
SUITE 170
SUNNYVALE, CA 94085

In re Application of: CHATANI
Application No. 09/771,751
Filed: January 29, 2001
For: CONTENT DISPLAY METHOD DURING
DATA DOWNLOAD

MAIL

JUN 24 2005

DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

DECISION ON PETITION
UNDER 37 CFR § 1.181 TO
WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the "PETITION FOR REVIVAL FROM ABANDONED STATUS UNDER 37 CFR 1.181" filed 22 October 2004, which has been properly treated as a petition under 37 CFR § 1.181 to withdraw the holding of abandonment of the above-identified application.

The application was held abandoned for failure to timely file a proper reply to the Office letter mailed 14 April 2004. A Notice of Abandonment was mailed on 18 April 2005.

A copy of the Office letter mailed 14 April 2004 was attached to the petition. Although the Office letter includes an incorrect mailing address, applicant must have obtained a copy in order to file the copy of it with the petition. It is unclear from the petition when and how applicant obtained this copy. Applicant nowhere maintains that the Office action was not received and therefore does not establish any grounds for relief.

Additionally, any petition filed under 37 CFR 1.181 must be filed timely. Since Applicant does not indicate when he came into possession of the action or first became aware of the mailing, it is not clear whether the instant petition was timely filed.

Accordingly, the petition is DISMISSED.

If the petitioner desires further review of this Decision, applicant should consider filing a Request for Reconsideration within 2 months of the mailing date of this Decision.

Pinchus M. Laufer

Pinchus M. Laufer
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
571-272-3599

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